

Decision 02-10-043 October 24, 2002

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Yucaipa Mobilehome Residents' Association ("YMRA"), a California nonprofit corporation, by Len Tyler, President of YMRA, as representative of the residents of Knollwood Mobilehome Park; Edna Jenkins, a represented Member of YMRA, an individual and resident Of Knollwood Mobilehome Park; and Nancy L. Carlisle, a represented member of YMRA, an Individual and resident of Knollwood Mobilehome Park,

Complainants,

vs.

Knollwood Mobilehome Estates, Ltd., a California Partnership, doing business as Knollwood Mobilehome Estates,

Defendant.

Case 01-06-008
(Filed June 4, 2001)

ORDER EXTENDING STATUTORY DEADLINE

Pub. Util. Code § 1701.2(d) provides that adjudicatory cases shall be resolved within 12 months of initiation unless the Commission makes findings why that deadline cannot be met and issues an order extending the deadline.

Case 01-06-008 was filed on June 4, 2001. Because of extensions of time requested by and granted to the parties, and because of extensive motion practice, a hearing on the matter was not conducted until July 18, 2002. The

Commission on February 7, 2002, issued Decision 02-02-014 extending the statutory deadline to November 22, 2002.

Concurrent briefs in this matter were to be filed on September 20, 2002, with reply briefs due October 4, 2002. Since it now appears unlikely that a final decision will issue by November 22, 2002, we deem it prudent to again extend the statutory deadline for final resolution of the complaint to ensure that no violation of Pub. Util. Code § 1701.2(d) occurs.

A final decision in this case should issue within six months of the final briefing date. Therefore, we will extend the statutory deadline to April 4, 2003. If a final decision has not been issued by that time, a further order extending statutory deadline will issue.

Under Rule 77.7(f)(4) of the Rules of Practice and Procedure, the Commission may reduce or waive the period for public review and comment of draft decisions extending the deadline for resolving adjudicatory proceedings. Accordingly, pursuant to Rule 77.7(f)(4), the otherwise applicable § 1701.2(d) statutory deadline for public review and comment is being waived.

Assignment of Proceeding

Geoffrey Brown is the Assigned Commissioner and Glen Walker is the assigned Administrative Law Judge in this proceeding.

Findings of Fact

1. This proceeding was initiated on June 4, 2001, as an adjudicatory proceeding.
2. Extensions of time were requested by and granted to the parties, and extensive motion practice took place.
3. The Commission on February 7, 2002, extended the statutory deadline in this matter to November 22, 2002.

4. A hearing was conducted on July 18, 2002, with final briefs to be filed by October 4, 2002.

5. The statutory deadline will not be met, primarily because of the parties' request for more time prior to hearing.

6. A final decision in this proceeding is to be issued on or before April 4, 2003.

Conclusion of Law

The 12-month deadline imposed by Pub. Util. Code § 1701.2(d) should be extended until April 4, 2003.

O R D E R

IT IS ORDERED that the 12-month statutory deadline in this proceeding is extended until April 4, 2003.

This order is effective today.

Dated October 24, 2002, at San Francisco, California.

LORETTA M. LYNCH
President
HENRY M. DUQUE
CARL W. WOOD
GEOFFREY F. BROWN
MICHAEL R. PEEVEY
Commissioners